

Richard Allaye Chan – SBN - 176416
Allaye Chan Law Group
1000 G Street - Suite 220
Sacramento, California 95814
Ph: (916) 446-4400

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In Re:

ALBERT MUELLER

JODINE MUELLER,

Debtors.

Case No. 10-26326-A-7

Hearing Date: September 20, 2010

Hearing Time: 9:00 AM

Courtroom: 28

The Honorable Michael S. McManus

Docket Control No.: RAC-02

MOTION FOR ORDER COMPELLING ABANDONMENT OF THE
ESTATE'S INTEREST IN A WRONGFUL TERMINATION CLAIM

Richard Allaye Chan of the Allaye Chan Law Group, on behalf of the Debtor herein, hereby moves this Court for an Order Compelling Abandonment of the Estate's interest in the Debtors' wrongful termination claim. This Motion is based on the following facts:

1. This case was commenced with the filing of a petition on March 15, 2010. Ryan Lucksinger was duly appointed to serve as Trustee.
2. As shown in the filed schedules of this case, the Debtors have a potential claim for a wrongful termination in Amador County. The claim is both listed on schedule B and exempt on schedule C using the Debtors' wildcard. The schedules, as filed with the Court, are incorporated herein by reference.
3. The Trustee having spoken to plaintiff's counsel and after making his reasonable investigation and inquiry has determined that there is no benefit to the estate to pursue this potential claim.

1 4. Federal Rule of Bankruptcy Proceeding 6007(b) permits a party in interest, including the
2 Debtors, to file a motion seeking to compel the Trustee to abandon property of the
3 estate.

4 Wherefore, the Debtor moves this Court to issue an Order Compelling the Trustee to
5 Abandon the Estate's Interest in the Debtors' Wrongful Termination Claim.

6
7 CERTIFICATION

8 I, Richard Allaye Chan, hereby certify under penalty of perjury that I have read the
9 foregoing Motion for Order Compelling Abandonment of the Estate's Interest In Debtors'
10 Wrongful Termination Claim. I further certify that the contents thereof are true and correct
11 to the best of my knowledge and belief. Executed on 7/16/2010 at Sacramento, California.

12 /s/ Richard Allaye Chan, Jr.
13 Richard Allaye Chan, Jr.
14 Allaye Chan Law Group
15
16
17
18
19
20
21
22
23
24
25
26